

# BEST AVAILABLE COPY

FORM PTO-2053-B (REV. 11/2000)

Approved for use through xx/xx/xxxx. OMB 0651-0031

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



In re Application of:

Application No.:

Filing Date:

Title:

Direct to:

09/6/64, 118  
9/18/2000  
Railroad car having  
cold formed central sill

Box Reconstruction  
United States Patent and Trademark Office  
Washington, DC 20231

## NOTICE UNDER 37 CFR 1.251 - Pending Application

Statement (check the appropriate box):

☐ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☐ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

Date

Signature

Typed or printed name

A copy of this notice should be returned with the reply.

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/21 (09-04)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 90

Application Number	09/664,118
Filing Date	09/18/2000
First Named Inventor	Todd L. Lydic et al.
Art Unit	3726
Examiner Name	Not yet assigned
Attorney Docket Number	JAC-990015

### ENCLOSURES (Check all that apply)

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD<br><br><input type="checkbox"/> Remarks<br>Please charge any fees associated with this submission to deposite account number 502800 | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Letter Re: Reconstruction of File (4 pg)<br>Copy of Contents of Applicants file (85 pgs) |
|--|--|---|

*EFU*  
The PTO did not receive the following  
listed item(s) most of listed correspondence

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	BLK Law Group		
Signature			
Printed name	Blynn L. Shideler		
Date	4/8/2005	Reg. No.	35,034

### CERTIFICATE OF TRANSMISSION/MAILING

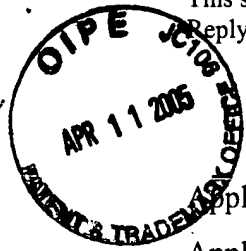
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Blynn L. Shideler, Reg. No 35,034	Date	4/8/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

09/664,118  
This submission dated 4/8/2005  
Reply to office action dated 03/07/2005



Serial No. 09/664,118  
Atty. Docket No. JAC-990015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No : 09/664,118 Confirmation No. 9049  
Applicant : Todd L. Lydic et al  
Filed : 09/18/2000  
TC/A.U. : 3726  
Examiner :  
Docket No. : JAC-990015  
Customer No. : 36,787

Reconstruction of the File Pursuant to the Provisions of 37 CFR 1.251

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice Under 37 CFR 1.251-Pending Application of March 7, 2005, please reconstruct the above identified application using the enclosed copy of the attorney file regarding this case.

The enclosed documents are a complete and accurate copy of the applicant's record of all of the correspondences between the USPTO and the applicant for this application. We are not aware of any other correspondences between the USPTO and the applicant other than those enclosed herewith.

The applicant is not aware of any correspondence between the office and the applicant for the above identified application that is not among the submitted records

List of enclosed correspondences between the USPTO and Applicant/Attorney begin on page 2

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail pursuant to 37 CFR 1.6 (d) on April 8, 2005

Blynn L. Shideler, Registration No. 35034

\_\_\_\_\_  
Signature Date

**List of enclosed correspondences from most recent to earliest filing:**

A) Notice Under 37 CFR 1.251-Pending Application dated 3/7/2005 (4 pages) including:

- Palm Intranet Content Information for 09/664118 dated 3/8/2005 (1 pg) sent by USPTO with A)

B) Auto-Reply Facsimile Transmission re: status check request dated 3/10/2005 (1 pg)

C) Status Request and Transmittal Form dated 3/10/2005 (2pgs)

D) Auto Reply Facsimile Transmission regarding Change of Correspondence dated 5/19/2004 (1 pg)

E) Change of Correspondence Address and Fax Confirmation dated 5/19/2004 (1 pg)

F) Decision of Petition dated 6/23/2003 (2 pgs)

G) Confirmation No. 9049 Updated Filing Receipt (2 pgs)

H) Auto Reply Facsimile Transmission regarding Change of Correspondence dated 5/13/2003 (1 pg)

I) Change of Correspondence Address and Fax Confirmation dated 5/13/2003 (1 pg)

J) Photocopy of Transmitted and received post card for the transmission of the Petition to revive sent 11/13/2002 (1 pg)

K) Petition to Revive Under 37 CFR §1.8(b) dated 11/13/2002 (16 pgs) including:

- Letter re: Petition to Revive Under 37 CFR §1.8(b) dated 11/13/2002 (3 pgs)
- Abandonment Termination Letter dated 9/26/2005 (1 pg)
- Photocopy of Transmitted and received post card for the transmission of the Missing Parts sent 03/08/2002 (1 pg)
- Submission of Missing parts of Application (2 pgs)
- Declaration and Power of Attorney (2 pgs)
- Patent Application Transmittal Letter (1 pg)
- Notice to File Missing Parts of Noprovisional Application (1 pg)
- Petition for Extension of Time (2 pgs)
- Checks paid to the Commissioner of patents and Trademarks (2 pgs)
- Notice Abandonment Under 37 CFR 1.53 (f) or (g) dated 9/26/2002 (1 pg)

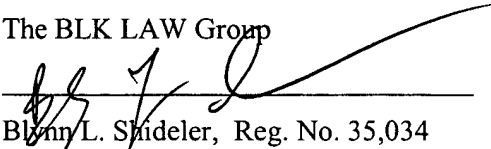
L) Notice of Recordation of Assignment Document dated 6/2/2001 (4 pgs)

- M) Notice Abandonment Under 37 CFR 1.53 (f) or (g) dated 9/26/2002 (1 pg)
- N) Photocopy of Transmitted and received post card for transmission of the Information Disclosure Statement sent 9/17/2001 (1 pg)
- O) Information Disclosure Statement Submission (4 pgs) (without cited references)
- P) Photocopy of Transmitted and received post card for the transmission of the Missing Parts sent 03/08/2001 (1 pg)
- Q) Submission of Missing Parts of Application dated 3/08/2001 (10 pgs) including:
- Statement regarding contents of filing of Missing parts (2 pgs)
  - Declaration and Power of Attorney (2 pgs)
  - Transmittal Letter (1 pg)
  - Notice to File Missing Parts of Noprovisional Application (1 pg)
  - Petition for Extension of Time (2 pgs)
  - Checks paid to the Commissioner of patents and Trademarks (2 pgs)
  - Notice to file Missing Parts Formalities Letter (1 pg)
- R) Photocopy of Transmitted and received post card for the transmission of the Assignment sent 03/08/2001 (1 pg)
- S) Recordation cover sheet and assignment dated 3/08/2001 (3 pgs) including:
- Check paid to the Commissioner of patents and Trademarks regarding assignment (1 pg)
- T) Filing Receipt dated 11/08/2000 (4 pgs)
- Application as filed dated 9/18/2000 (24 pgs) including:
- Photocopy of Express mail label and Photocopy of Transmitted and received post card for the transmission of application (1 pg)
  - Express mail certificate (1 pg)
  - Letter recognizing attorneys (2 pgs)
  - Utility Patent Application Transmittal form (1 pg)
  - Application (16 pgs)
  - Drawing Sheets (3 pgs)

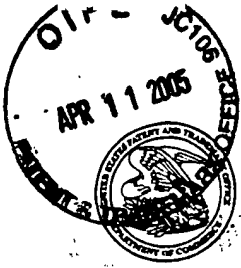
09/664,118  
This submission dated 4/8/2005  
Reply to office action dated 03/07/2005

Respectfully Submitted;

The BLK LAW Group



Blynn L. Shideler, Reg. No. 35,034  
3500 Brooktree Road - Suite 200  
Wexford, Pennsylvania 15090  
Tel (724)-934-5450 Fax (724) 934-5461  
E-mail [Blynn@BLKLawGroup.com](mailto:Blynn@BLKLawGroup.com)



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/664,118	09/18/2000	Todd L. Lydic	2709-990015	9049

7590

03/07/2005

Blynn L Shideler  
Webb Ziesenheim Logsdon Orkin & Hanson PC  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219-1818

EXAMINER

NOT, DEFINED

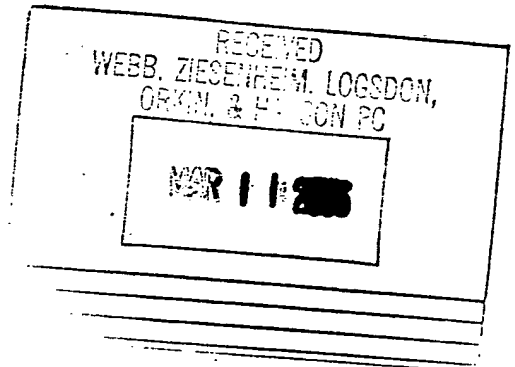
ART UNIT

PAPER NUMBER

3726

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/16/04, 115

7/15/2000

2704-990015

EXAMINER

ART UNIT	PAPER NUMBER
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3126

DATE MAILED: 3/7/2005

## NOTICE UNDER 37 CFR 1.251 - Pending Application

☒ The file of the above-identified application cannot be located after a reasonable search. Therefore, the Office is initiating the reconstruction of the file of the above-identified application pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of applicant's record (if any) of all of the correspondence between the Office and applicant for the above-identified application (except for U.S. patent documents), a list of such correspondence, and a statement that the copy is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and whether applicant is aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☐ The following paper(s) pertaining to the above-identified application cannot be located after a reasonable search:

Therefore, the Office is initiating the reconstruction of such paper(s) pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of the paper(s) listed above and a statement that the copy of such paper(s) is a complete and accurate copy of applicant's record of such paper(s).

Alternatively, applicant may reply to this notice by producing applicant's record (if any) of all of the correspondence between the Office and the applicant for the above-identified application for the Office to copy (except for U.S. patent documents), and provide a statement that the papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), whether applicant is aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records. Such records must be brought to the Customer Service Center in the Office of Initial Patent Examination (Crystal Plaza 2, 2011 South Clark Place, Arlington, VA 22202).

If applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application (or any copy of the paper(s) listed above), applicant must reply to this notice by providing a statement that applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

Failure to reply to this notice in a timely manner will result in abandonment of the above-identified application. The three-month period for reply to this notice may be extended (up to a maximum of six months) under the provisions of 37 CFR 1.136(a). However, failure to reply within this three-month period will result in a reduction of any patent term adjustment. See 37 CFR 1.704(b).

☒ A printout from PALM of the contents of the file of the above-identified application is included with this notice.

Direct the reply to this notice to:

Box Reconstruction

United States Patent and Trademark Office  
Washington, DC 20231

Direct questions concerning this notice to:

JACKIE WALDO  
HEAD SUPERVISORY, LEGAL INSTRUMENTS EXAMINER

(703) 308-3907

To 3600